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June 14, 2012

**VIA ELECTRONIC TRANSMISSION**

The Honorable Eric H. Holder, Jr.  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

Dear Attorney General Holder:

Tuesday, in response to Senator Cornyn's call for your resignation, you responded, in part, with the following statement:

If you want to talk about Fast and Furious, I'm the Attorney General that put an end to the misguided tactics that were used in Fast and Furious. An Attorney General who I suppose you would hold in higher regard was briefed on these kinds of tactics in an operation called Wide Receiver and did nothing to stop them – nothing. Three hundred guns, at least, walked in that instance.

This is a serious charge. However, as far as I'm aware, the Justice Department has produced nothing to date that indicates any former Attorney General was briefed on Operation Wide Receiver.

I am aware that the Justice Department produced a memorandum to Attorney General Mukasey in preparation for a November 16, 2007, meeting with Mexican Attorney General Medina Mora.<sup>1</sup> At no point does this memo mention Operation Wide Receiver, in which over 300 guns were allowed to walk to Mexico. Instead, the memo appears to refer to a case called Hernandez, which involved a planned controlled delivery – not intentional gunwalking.

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<sup>1</sup> Memo to the Attorney General, "Meeting of the Attorney General with Mexican Attorney General Medina Mora" (Nov. 16, 2007) [HOCR HRNDZ 003240].

Documents the Justice Department has produced *have* indicated that the gunwalking in Operation Wide Receiver was brought to the attention of Assistant Attorney General Lanny Breuer in April 2010 by his deputy, Jason Weinstein. Breuer's response, according to a contemporaneous e-mail from Criminal Division Gang Unit Chief James Trusty, was simply that he "want[ed] us to meet with [ATF] at some point so they know *the bad stuff that could come out*."<sup>2</sup> Weinstein subsequently indicated to ATF Deputy Director William Hoover: "The reason we wanted to meet with you before charging is that the case has [two] aspects that could create media challenges and we wanted to talk through them first."<sup>3</sup> I have called for Breuer's resignation in part because, the evidence so far shows that he is the highest-ranking government official who was personally informed about gunwalking in any case, and he did nothing to put a stop to it.

If the Justice Department has documentation about Operation Wide Receiver which it has not yet produced and which indicate a higher level of awareness of gunwalking than has previously been indicated, such evidence should be produced immediately. Given the gravity of these allegations, I would appreciate a response by Monday, June 18, 2012. If you have any questions concerning this matter, please contact Tristan Leavitt of my staff at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Ranking Member

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<sup>2</sup> E-mail from James Trusty, Acting Chief, Gang Unit, Criminal Division, DOJ, to Kevin Carwile, Chief, Capital Case Unit, Criminal Division, DOJ (Apr. 19, 2010) [HOCR 003451] (emphasis added).

<sup>3</sup> E-mail from Jason Weinstein, Deputy Assistant Attorney General, Criminal Division, DOJ, to William Hoover, Deputy Director, ATF (Apr. 20, 2010) [HOCR 003452].